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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/716,248	11/17/2003	David M. Tucker	205-0034USRI	5207
90116	7590	06/21/2010	EXAMINER	
(Weatherford) Wong Cabello Lutsch Rutherford & Bruculeri LLP			ROGERS, DAVID A	
20333 Tomball Parkway, 6th floor			ART UNIT	PAPER NUMBER
Houston, TX 77070			2856	
			MAIL DATE	DELIVERY MODE
			06/21/2010	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.



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### DETAILED ACTION

1. In accordance with 37 C.F.R. 1.175(b)(1), a supplemental reissue oath/declaration under 37 C.F.R. 1.175(b)(1) must be received before this reissue application can be allowed. The claim(s) filed on 23 February 2009 have been amended beyond the scope of the claims filed 18 May 2007. See, for example, claim 1 now five times amended and including the following:

--mounted on the test and fill package wherein the test and fill package mounted pump or pumps are dimensioned for cleaning, dewatering, and pressurizing to a sufficiently high pressure for--

Thus the supplemental oath/declaration filed on 30 August 2007 is defective as it does not cover the error(s) corrected in the current claims.

Claims 1-10 are rejected as being based upon a defective reissue oath under 35 U.S.C. 251. See 37 C.F.R. 1.175. The nature of the defect is set forth above.

Receipt of an appropriate supplemental oath/declaration under 37 C.F.R. 1.175(b)(1) will overcome this rejection under 35 U.S.C. 251. An example of acceptable language to be used in the supplemental oath/declaration is as follows:

"Every error in the patent which was corrected in the present reissue application, and is not covered by a prior oath/declaration submitted in this application, arose without any deceptive intention on the part of the applicant."

See MPEP § 1414.01.

### **Conclusion**

2. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 C.F.R. 1.136(a). A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action

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and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to DAVID A. ROGERS whose telephone number is (571)272-2205. The examiner can normally be reached on Monday - Friday (0730 - 1600). If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hezron E. Williams can be reached on (571) 272-2208. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

4. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/David A. Rogers/  
Primary Examiner, Art Unit 2856